

Mister Chairman and members of the United States House Energy & Commerce Committee.

My husband, Hon. Eddie C. Lovelace, died on the 17th day of September, 2012 as a result of fungal contamination from a series of epidural steroid injections which he received at the St. Thomas Outpatient Neurosurgical Clinic in Nashville, Tennessee. I want to express my thanks to this committee, members of the news media, lawyers and citizens who have diligently worked to bring light to one of our nations darkest healthcare secrets. This product was manufactured by the New England Compounding Pharmacy, Inc., d/b/a New England Compounding Center, located in Framingham, Massachusetts under the guise of compounding drugs. This company and many others operate with little or no regulation and in violation of both federal and state laws.

My husband devoted his life to public service and planned to serve as Circuit Judge for two more years and then re-enter the private practice of law with our granddaughter. Eddie Lovelace, at age 78, epitomized the senior citizens of our modern society who are determined to remain active and who have much to give to their community. To accomplish his continued active lifestyle, Eddie walked more than three miles a day, kept up on current events and remained a student of the law as he read every case being decided by our appellate courts.

The citizens of our community have lost a civic leader, a church leader, and outstanding judge. His near photographic memory, his booming voice, his sense of humor and his deep-seated concern for his fellow citizens led him to be a speaker at many civic and social functions and led him to frequently deliver eulogies of his friends who had preceded him death. His uncanny ability to quote Shakespeare, the Bible, poetry and famous quotations both entertained and brought comfort to many.

Words cannot describe the emotions that our family has undergone. Eddie's death was unexpected. When he first went into the hospital, the stroke was described as relatively mild with a good prognosis. Eddie was talking to friends and family and asking the doctors when he would be able to be back at work. Our optimism turned to despair in a few days when Eddie's health began to rapidly decline. On Monday following his stroke on Wednesday, we gathered in a hospital room at Vanderbilt University to do what no family wants to face - saying goodbye to a loved one. Eddie's 98 year old mother said goodbye to her "dear sweet boy" over the phone.

On Friday we buried Eddie and attempted to accept his death as natural. However, we kept going back over the fact that the doctor's were puzzled by the course his condition took. We were more puzzled when the St. Thomas Clinic called twice to inquire of Eddie's health and symptoms. Our suspicions were aroused. Finally, a newspaper reporter from the Tennessean called and told us that Vanderbilt was reporting that a 78-year-old male who died on September 17th was the first death associated with the fungal injections as a result of epidural steroid injections. We knew this must have been Eddie.

We searched for the truth knowing the truth would be difficult to accept. We asked our family friend and attorney, Thomas E. Carroll, to help us find the answers to our questions. Dr. George Nichols, II, retired Kentucky Chief Medical Examiner, advised an autopsy was the only way to get a definite answer. Dr. Nichols' autopsy confirmed that Eddie's death was a result of the fungal contamination from the epidural steroid injections. We now know that New England Compounding Pharmacy, Inc. killed Eddie. I have lost my soulmate and life's partner with whom I worked side by side, day after day for more than fifty years. Our children and older grandchildren have lost their friend, their advisor, and their anchor. The younger ones have lost their playmate. We are all left with sadness mixed with wonderful memories.

Every day as we read, watch TV and surf the internet we are confronted with the growing number of infections and deaths. More than 400 illnesses and more than 32

deaths are reported. Thousands awaken daily with the least amount of symptoms provoking fear and anxiety. At times our depression is temporarily replaced with anger. At other time it is replaced by determination and resolve.

Although I speak only for myself, I am sure that I echo the thoughts and wishes of every family that has been affected by this needless tragedy. I am asking this committee to find out how and why this happened and to plug the loopholes that allow these industries to escape meaningful inspection. If appropriate, I would ask that you refer this matter to the Justice Department to determine if federal laws have been broken. I would ask that you inquire how such a product became so widely distributed. Why did so many medical providers purchase this product from unregulated or poorly regulated sources? Don't just investigate. Instead, legislate and regulate. I challenge republicans and democrats alike to put aside partisan politics, partisan philosophies, industry lobbying and wishes of campaign contributions and unanimously send to the White House a bill that will prevent a recurrence of these events. If you will do that, perhaps my family can take some solace in the fact that Eddie Lovelace's public service continues even after death.

Respectfully submitted,

Joyce J. Lovelace

Attachments:

Death Certificate

CV of Hon. Eddie C. Lovelace

Photograph of Hon. Eddie C. Lovelace

Eddie C. Lovelace
Circuit Judge
40th Judicial Circuit
Clinton, Cumberland and Monroe Counties

- Born in Clinton County on February 9, 1934
- Received his B.A. from the University of Kentucky in 1956
- Received his J.D. from the University of Louisville in 1960
- Albany City Attorney 1961-1965
- Clinton County Attorney 1965-1969
- Commonwealth Attorney 1969-1992
- Circuit Judge Clinton, Russell & Wayne Counties 1992-2002
- Circuit Judge Clinton, Cumberland & Monroe Counties 2002-2012
- Outstanding Trial Judge of the Year 1995
- Member of UKAN Advocates of the University of Kentucky
- Member of Albany Lions Club for over 30 years, 5 of which he served as President
- Member of the Albany Masonic Lodge from 1972-1992 (Grand Master 1986, Deputy Grand Master 1987-1988, Grand Senior Deacon Grand masonic Lodge of Kentucky 1988-1989)
- Member of the Board of Directors, Lake Cumberland Area Development Council
- Kosair Shrine
- Lexington Consistory Scottish Rites
- Taught Adult Men's Sunday School at Albany First Baptist Church
- Received First Place in Kentucky State Speak Up Jaycee Contest
- Preceded in Death By:
 - Father, Amp Lovelace
 - Grandson, Elijah Christopher Lovelace

- Survived By:
 - Mother, Flonnie Lovelace
 - Wife, Joyce Davis Lovelace
 - Daughter, Karen Lovelace Talbott (Bob)
 - Son, Edward Christopher Lovelace (Carolyn)
 - Granddaughter, Megan Lovelace Thompson (BJ)
 - Granddaughter, Kristin Talbott DeRossett (Trevor)
 - Granddaughter, Kayla Rhea Talbott
 - Grandson, Edward Cory Lovelace
 - Granddaughter, Rhiannon Rashea Lovelace
 - Great-Granddaughter, Aubrey Caroline Thompson
 - Step-Granddaughter, Ashley Brook McGhee (Steven)
 - Step-Granddaughter, Nikki Danielle Upchurch
 - Step-Granddaughter, Taylor Renea Upchurch

